

Grant of Planning Permission

Town and Country Planning (Scotland) Act 1997

Local Review Body
Tuesday 29 August 2017
Item No 5.1

Local Review Body: Review of Planning Application Reg. No. 17/00081/DPP

Mr and Mrs C Neil
31 Broomhill Avenue
Penicuik
EH26 9EG

Midlothian Council, as Planning Authority, having considered the review of the application by Mr And Mrs Craig Neil, 31 Broomhill Avenue, Penicuik, EH26 9EG, which was registered on 26 April 2017 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

Extension to dwellinghouse at 31 Broomhill Avenue, Penicuik, EH26 9EG, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Site plan, location plan and elevations	1 1:1250 1:500 1:100	10.02.2017
Proposed floor plan	2 1:50	10.02.2017
Proposed floor plan	3 1:50	10.02.2017
Proposed elevations	4 1:100	10.02.2017

Subject to the following conditions:

1. The colour and texture of the render on the extension shall match the colour and texture of the render on the existing building.

Reason: *To ensure that the extension matches the external appearance of the existing building and thereby maintains the visual quality of the area.*

2. The roof light serving the en-suite at first floor level on the extension shall be glazed with obscure glass which notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking and re-enacting that Order) shall not be replaced with clear glass.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking and re-enacting that Order) the windows on the south east elevation of the extension

shall not be altered in size and apart from those shown on the approved drawings no rooflights or windows shall be installed on this elevation unless planning permission is granted by the Planning Authority.

Reason for conditions 2 and 3: *In order to minimise overlooking and protect the privacy of the occupants of the adjoining property.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 13 June 2017. The LRB carried out a site visit on the 12 June 2017.

In reaching its decision the LRB gave consideration to the following development plan policies and material considerations:

Development Plan Policies:

1. RP20 Midlothian Local Plan – Development within the built-up area
2. DP6 Midlothian Local Plan – House Extensions

Material considerations:

1. The individual circumstances of the proposal
2. The size, form and design of nearby buildings

In determining the review the LRB concluded:

The proposed extension in terms of its size, form and design will not detract from the host dwellinghouse or the streetscape and therefore complies with policy RP20 of the Midlothian Local Plan (2008).

Dated: 13/06/2017



Peter Arnsdorf
Planning Manager (Advisor to the Local Review Body)
Communities and Economy
Midlothian Council

On behalf of:

Councillor R Imrie
Chair of the Local Review Body
Midlothian Council

NOTICE TO ACCOMPANY REFUSAL ETC.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions, or

Notification to be sent to applicant on determination by the planning authority of an application following a review conducted under section 43A(8)

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the town and Country Planning (Scotland) Act 1997.

Advisory note:

If you have any questions or enquiries regarding the Local Review Body procedures or this decision notice please do not hesitate to contact Peter Arnsdorf, Planning Manager tel: 0131 2713310 or via peter.arnsdorf@midlothian.gov.uk